

REMARKS

This amendment and these remarks are responsive to the first Office action. Claims 1-3 are pending in the application. In the Office action, the examiner rejected claims 1-3 under 35 U.S.C. § 103(a). In view of the amendment above, and the remarks below, applicants respectfully request reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Rejections under 35 USC § 103(a)

The examiner has rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over McKelvey (3,199,887) in view of Krent (4,262,919). The examiner states that McKelvey teaches a uniformly molded sled for use by a rider to glide upon a snow surface which includes a front portion 10, a rear portion 11, wherein the front portion includes a median portion 12 and first and second foot sections. The examiner states that each foot section includes a bottom wall 23a having an upper surface adapted to receive a rider's foot and a lower surface adapted to slide upon the snow. The examiner recognizes that McKelvey does not disclose the foot sections as being foot rudder cavities, but contends nevertheless that Krent discloses a uniformly molded sled which includes first and second foot rudder cavities 22R, 22L having a bottom wall adapted to receive a rider's foot. The examiner contends that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the sled with foot support portions of McKelvey with the foot rudder cavities taught by Krent.

In response, applicants submit that it would not be obvious to provide the proposed modification, nor even if the modification of McKelvey by Krent were

accomplished, the structure of applicants' invention nevertheless would not be disclosed. By this amendment, applicants have amended claim 1 to recite that its sled, shown in Fig. 1 at 10, includes first and second foot rudder cavities 18 and 20 which are connected to median portion 16 to be flexible relative thereto. While the preferred embodiment in applicants' invention shows that the flexibility is provided by a plurality of first and second ribs 40, 42, respectively, other means for producing flexibility could be provided. The cited art of record, for example, as can be seen in McKelvey, does not provide foot cavities as such, merely a front section in which the feet may be placed, and there is no flexibility of construction. As shown in Fig. 2 of McKelvey, the so-called "flex position" is shown in dotted lines but that refers to flexing perhaps between the front and rear sections, and not a flexible connection between where the feet would be placed, as in applicants' invention.

Considering Krent, it can be seen that the sled construction disclosed therein, as shown in Figs. 1A-C, is an articulated body-steerable device shown which accommodates so-called "add-on" modules. The section shown for the feet, indicated at 22R and 22L, are not interconnected by any flexible section.

Moreover, Krent, disclosing an articulated construction, has a seat section and a foot section pivotally interconnected one to another, and is not formed as an integral unit. While McKelvey may disclose a unitary construction, there is no rear portion comprising a seat section, a front portion having a median portion and first and second foot rudder cavities and the flexible interconnection between the foot rudder cavities. There is no

overall construction in which the foot rudder cavities and the lower surface of the seat portion are in substantially exclusive contact with the snow.

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the examiner issue a Notice of Allowability covering the pending claims. If the examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record. A Revocation and Reappointment of Power of Attorney is submitted herewith.

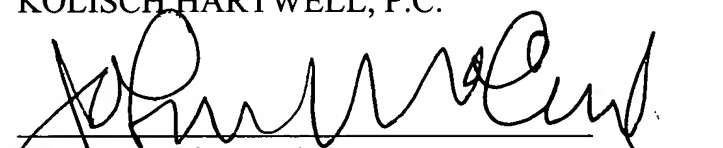
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Respectfully submitted,

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